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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,394	01/20/2000	Aravind Sitaraman	062891.0327	4403

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Baker & Botts L. L. P.
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EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/24/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/488,394

Applicant(s)

SITARAMAN ET AL.

Examiner

Dustin Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 46 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7-21, 23-33, 35-37, 39-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. [US Patent No 6,415,313], in view of Chiu et al. [US Patent No 6,597,689].

4. As per claim 1, Yamada discloses the invention substantially as claimed including a system for a identify a subscriber, comprising:

an access server coupled to a plurality of subscribers using a first communication network and further coupled to a second communication network [Figures 1 and 12];

a memory coupled to the access server [152, 161, 171, Figure 2] and operable to store path information that identifies a virtual circuit assigned to the particular subscriber [Figure 8].

a processor coupled to the memory [160, Figure 2] and operable to compare the path information and the particular virtual circuit used to received the communication from the particular subscriber [col 13, lines 19-43].

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Yamada does not specifically disclose
the access server operable to receive a communication from a particular subscriber using
a particular one of a plurality of virtual circuits associated with the first communication network;
and

identify the particular subscriber for connection to the second communication network
based on the comparison.

Chiu disclose
the access server operable to receive a communication from a particular subscriber using
a particular one of a plurality of virtual circuits associated with the first communication network
[col 80, lines 23-37]; and

identify the particular subscriber for connection to the second communication network
based on the comparison [col 82, lines 19-56].

It would have been obvious to a person skill in the art at the time the invention was made
to combine the teaching of Yamada and Chiu because Chiu's teaching would allow information
to safely communicate from end to end.

5. As per claim 2, Yamada discloses

the access server comprises one of a plurality of access servers coupled to the processor [
Figure 12]; and

the path information further identifies an access server assigned to the particular
subscriber [col 28, lines 19-col 29, lines 10],

the processor is further operable to identify the particular subscriber based upon the path information and an identifier of the particular access server coupled to the particular subscriber [col 3, lines 7-23].

6. As per claim 3, Yamada discloses the access server comprises
an interface coupled to the particular subscriber using the particular virtual circuit [30a-n, 40a-n, Figure 1]; and
a controller coupled to the interface and operable to communicate a request identifying the particular virtual circuit that couples the interface and the particular subscriber [110, 120, Figure 2].

7. As per claim 4, Yamada does not disclose the interface comprises a plurality of network line cards; the path information further identifies a network line card assigned to the particular subscriber; and the processor is further operable to identify the particular subscriber based upon the path information and an identifier of a particular network line card coupled to the particular subscriber. Chiu discloses the interface comprises a plurality of network line cards [Figure 3]; the path information further identifies a network line card assigned to the particular subscriber [col 37, lines 40-45]; and the processor is further operable to identify the particular subscriber based upon the path information and an identifier of a particular network line card coupled to the particular subscriber [col 7, lines 57-67]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Yamada and Chiu because Chiu's

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teaching would allow Yamada's system to extend its capability to provide service to a larger group of users.

8. As per claim 5, Yamada discloses the request comprises:

interface information identifying the interface coupled to the particular subscriber [col 10, lines 28-37];

virtual circuit information identifying the particular virtual circuit [col 16, lines 25-32].

access server information identifying the access server [col 28, lines 25-28];

9. As per claim 7, Yamada discloses the request comprises a trivial file transfer protocol request [col 18, lines 60-67].

10. As per claim 8, Yamada discloses the particular virtual circuit is associated with the particular subscriber using a virtual channel identifier and a virtual path identifier [col 16, lines 4-13].

11. As per claim 9, Yamada does not disclose a virtual path identifier and a virtual channel identifier associated with the virtual circuit assigned to the particular subscriber. Chiu discloses a virtual path identifier and a virtual channel identifier associated with the virtual circuit assigned to the particular subscriber [Figures 30 and 31]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Yamada and Chiu because Chiu's teaching would allow information to be carried over different network protocols.

12. As per claim 10, Yamada discloses the access server supports a communication session between the particular subscriber and the second communication network in response to identifying the particular subscriber [col 2, lines 39-col 3, lines 5].

13. As per claims 11-14, and 15-17, they are method claimed of claims 1-4, and 15-17, they are rejected for similar reasons as stated above in claims 1-4, and 15-17.

14. As per claims 18-21, they are rejected for similar reasons as stated above in claims 1, 2, 4 and 5.

15. As per claims 23-25, they are rejected for similar reasons as stated above in claims 7-9.

16. As per claims 26-29 and 30, 31, they are rejected for similar reasons as stated above in claims 1-4, and 8, 9.

17. As per claim 32, it is rejected for similar reasons as stated above in claims 1, 3, and 10.

18. As per claim 33, it is rejected for similar reasons as stated above in claim 5.

19. As per claim 35, it is rejected for similar reason as stated above in claim 7.

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20. As per claim 36, it is rejected for similar reasons as stated in claims 1 and 10.
21. As per claim 37, it is rejected for similar reasons as stated above in claim 5.
22. As per claim 39, it is rejected for similar reason as stated above in claim 7.
23. As per claims 40-43 and 44-46, they are rejected for similar reasons as stated above in claims 1-4 and 8-9.
24. Claims 6, 22, 34, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. [US Patent No 6,415,313], in view of Chiu et al. [US Patent No 6,597,689], and further in view of Benash et al. [US Patent No 6084892].
25. As per claim 6, Yamada and Chiu do not disclose the request comprises a RADIUS protocol request. Benash discloses the request comprises a RADIUS protocol request [col 10, line 19-22]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Yamada, Chiu and Benash because Benash's teaching of RADIUS protocol would add another level of security protection to keep the data integrity and to increase the value of the system.
26. As per claims 22, 34, 38, they are rejected for similar reasons as stated above in claim 6.

27. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

28. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


ZARNI MAUNG
PRIMARY EXAMINER